

JEANNE CADENHEAD,)
)
Plaintiff,)
)
-vs-) Case No. CIV-15-1121-F
)
CAROLYN W. COLVIN, Acting)
Commissioner of the Social Security)
Administration,)

Plaintiff Jeanne Cadenhead brings this action seeking judicial review of the Social Security Administration's denial of disability insurance benefits (DIB) and supplemental security income (SSI).


Plaintiff did not object to the Report.

Defendant objects to the Report (doc. no. 26), arguing that the Administrative Law Judge's discussion at Step 3 was sufficient because nothing requires the

findings to be located under a particular heading. As stated in the Report, however, the Administrative Law Judge summarized the evidence regarding the pulmonary function test solely in the context of the Residual Functional Capacity determination. In this situation, the court agrees with the Report's conclusion that the record fails to demonstrate how these test results relate, if at all, to the step-three findings. Doc. no. 25, p. 5. Accordingly, after *de novo* review, defendant's objection is **DENIED**.

Accordingly, the court **ACCEPTS, AFFIRMS, and ADOPTS** the findings and recommendations of Magistrate Judge Jones. As recommended by the magistrate judge, the Commissioner's decision is reversed and the matter is **REMANDED** for further proceedings consistent with the Report and Recommendation.

Dated this 19th day of January, 2017.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE